

REMARKS

Prior to this amendment, Claims 1, 6, 8, 9, 21-30, 34, 36-40, 43-49, 51-53, and 56-63 were pending in the application. Applicants have canceled claim 51 without prejudice to filing a continuation/division application directed to the non-elected subject matter. Claims 37 and 39 have been amended to correct dependencies. Claim 36 has been amended to clarify the claimed invention.

Claims 1, 6, 8, 9, 21-30, 34, 36-40, 43-49, 52-53 and 56-63 remain in this application.

Restriction requirement

The PTO requires the restriction of the claims in the above-identified application into one of the following two groups of claims. Group One includes claims 1, 6, 8, 9, 21-30, 34, 36-40, 43-49, 52-53, 56-63 drawn to a method of predicting the likelihood of long-term survival of breast cancer by detecting expression levels of nucleic acids. Group Two includes claim 51 drawn to kit comprising reagents for performing the methods.

Applicant elects for examination the claims of Group I, claims 1, 6, 8, 9, 21-30, 34, 36-40, 43-49, 52-53, 56-63 drawn to a method of predicting the likelihood of long-term survival of breast cancer.

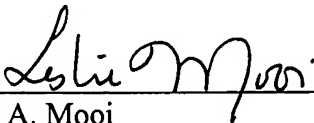
The PTO indicates that the claims are drawn to a combination of genes, namely one or more genes. Some claims have allegedly been drawn to MYBL2, others to PR, HER2 for example. The PTO requests that Applicants select one combination.

Applicants select MYBL2. Applicants note that all claims either recite MYBL2 or depend from a claim reciting MYBL2.

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 08-1641 referencing Attorney's Docket No: 39740-0008A.

Respectfully submitted,

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